

ORIGINAL

**United States District Court
Middle District of Pennsylvania**

1: CV

03-1645

Gregory Ethan Golla,
Plaintiff

Civil Action No.

vs.

Harley Davidson Motor Company
Michelle Thomas,
Defendant

FILED
HARRISBURG, PA

SEP 18 2003

MARY E. D'ANDREA, CLERK
Per *MD*
Deputy Clerk

Complaint

This action seeks monetary relief for Plaintiff due to Slander, Injurious Falsehood, Tortious Interference with Business Relations, False Imputations of Criminality, Invasion of Privacy and Defamation of Character all of which were committed by the Defendant Michelle Thomas an Employee of the Harley Davidson Motor Company. The Wrongful Acts of the Defendant damaged the Professional reputation of the Plaintiff. Plaintiff was ultimately denied his right to employment and lost wages as a result of Defendant's Slander. Plaintiff requests a trial by Jury. Plaintiff has made several good faith efforts to resolve this matter, however the Defendant responded by being hostile, abusive and threatened to have Plaintiff arrested if he ever set foot on Harley Davidson Property. This will be proven at Trial.

Jurisdiction

This action arises under the Provisions of 28 USC 1332a a diversity Jurisdiction. Plaintiff and Defendant are not residents of the same State. Plaintiff is a resident of Pennsylvania and Defendant, the Harley Davidson Motor Company is Head Quartered in Milwaukee, Wisconsin.

Status of the Parties

Plaintiff is a male citizen of the United States and a resident of Mechanicsburg, PA. Plaintiff brings this action in his individual capacity. Plaintiff was formerly employed by the Pinkerton Security Company as a Security Guard and where defendant Thomas was employed as his Manager. Plaintiff was later employed as a Security Guard at Harley Davidson . Defendant's York Site is located at 1425 Eden Road York, PA 17402. Defendant Thomas was the Security Director for Harley Davidson when the defamation was committed and acted within her Official Duties when she slandered the Plaintiff.

First Cause of Action Defamation

Defendant made the following statements to the Plaintiff's immediate Supervisor Dan Hockensmith as well as Plaintiff's Coworkers "I fired Golla from Pinkerton and he vandalized some property so I had him arrested." These comments are false. These comments as well as other statements injured the reputation of the Plaintiff. These comments were made repeatedly from June 2001 to November 2002 at the Harley Davison Plant in York, PA and the Plaintiff only recently became aware of them. Defendant made the comments with Malice towards the Plaintiff and with the intention of injuring the Plaintiff's reputation.

Second Cause of Action Tortious Interference with Business Relations

Defendant's knowledge of the Contract between Harley Davidson and the contracted Security Company was used to terminate Plaintiff's employment at the job site and Plaintiff lost wages.

Third Cause of Action Injurious Falsehood

Defendant knew that the statements she made were false and made them with the intention of causing pecuniary loss to the Plaintiff. Plaintiff did eventually suffer lost wages as a result of Defendant's false statements.

**Fourth Cause of Action
Imputation of Criminality**

Defendant falsely accused the Plaintiff of a crime. Defendant stated that the Plaintiff committed vandalism and theft. The accusation was made to Plaintiff's Supervisor and damaged Plaintiff's reputation beyond repair.

**Fifth Cause of Action
Invasion of Privacy**

Defendant gave publicity to a matter concerning Plaintiff's previous employment. Plaintiff's prior employment is not a matter of Public Disclosure and Defendant disclosed false information in regard to that previous employment.

**Sixth Cause of Action
Defamation of Character**

Defendant willfully Slandered the Plaintiff as well as many other Male Employees. Defendant has demonstrated a pattern of animosity towards male subordinates and has injured their reputations as well. Defendant did this during the performance of her Official duties as Security Director for the Harley Davidson Motor Company.

**Seventh Cause of Action
Tort of Outrage**

The Acts described above constitute a Tort of Outrage in that the statements and conduct made by Defendant acting within the scope of her employment were so willful, malicious, unjustified and extreme as to be beyond the bounds of decency.

Thu Sep 18 14:00:35 2003

UNITED STATES DISTRICT COURT

SCRANTON, PA

Receipt No. 111 139545
Cashier pamela

N.O. Number: 06-074699854

DJ Code Div No
4667 1

Sub Acct	Type	Tender	Amount
1:510000	N	3	90.00
2:086900	N	3	60.00

Total Amount) \$ 150.00

GREGORY GALLA 1544 MCCORMICK DR MECH
PA 17055

COMPLAINT FILING FEE